

REMARKS:

At the time of the Office Action, claims 1-20 were pending and considered by the Examiner. Claims 1-20 stand rejected. Pursuant to this Amendment, claims 1, 8, 15 and 17 have been amended, and claims 7 and 9-14 have been cancelled. Claims 1-6, 8 and 15-20 remain pending in the subject Application.

Claims 7, 14 and 17 stand rejected under 35 U.S.C. 112, second paragraph. Claims 7 and 14 have been cancelled, limitations recited therein being incorporated into claims 1 and 8, respectively. Claims 1, 8 and 17 have been amended to address the Examiner's concerns. More specifically, the thickness of the associated portion has been more clearly defined to have a cross-section that tapers between two points. Accordingly, removal of the rejection is respectfully requested.

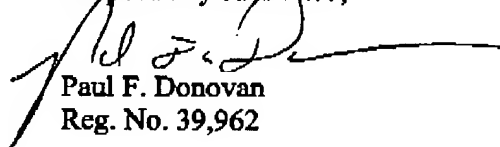
Claims 1-4, 6-12, 14-18 and 20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Owens et al. (U.S. Patent Des. 324,170). Claims 5, 13 and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. These rejections are traversed for at least the following reasons.

Without agreeing with the Examiner as to what is or is not taught by Owens et al., claims 1, 8 and 15 have been amended to more clearly distinguish the subject invention from Owens et al. First of all, Owens et al. pertains to an ornamental design and there is no teaching or suggestion that the device therein is made of a resilient or elastic material. For this reason alone, the claims of the subject application are not anticipated by Owens et al. Even so, claims 1, 8 and 15 have been amended to include additional structural limitations not found in Owens et al. For example, Owens et al. do not teach a center portion having a solid cross-section as now required by the claims (compare Fig. 5 of Owens et al.). Moreover, in regards to amended claim 1, Owens et al. do not teach the unique relationship of the claimed indentation with the center portion and the surrounding ring portion. Accordingly, for at least these reasons, the claims are not anticipated by Owens et al. The remaining pending claims depend from one of claims 1, 8 and 15, and, therefore, are also not anticipated by Owens et al. for the same reasons applied thereto, as well as for the additional subject matter recited in each.

It is further submitted that the pending claims also patentably distinguish from Owens et al. under the obviousness standards of 35 U.S.C. 103 because Owens et al. do not suggest all of the recited structural limitations, and there is no basis found in any known prior art that would motivate one skilled in the bumper device art to modify the door stop / wall patch of Owens et al. to correspond to the structural relationships defined in the claims as currently written. Any change to Owens et al. would inherently change the scope of the claimed ornamental design, thereby destroying the intended purpose of Owens et al. As a result, any such proposed modification would be improper under the guidelines of 35 U.S.C. 103.

Reconsideration of the rejected claims and allowance of all the pending claims is respectfully requested. In the event that there are any remaining issues that need to be addressed, in order to expedite the prosecution of the subject application, it is respectfully requested that the Examiner telephone the undersigned at the number indicated below.

Respectfully submitted,



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